

Message Text

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ACTION EUR-25

INFO OCT-01 IO-14 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10

L-03 NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 SAM-01 NEA-11 TRSE-00 SAJ-01 OIC-04 OMB-01

EB-11 CU-04 STR-08 DRC-01 ACDA-19 (ISO) W

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R 091000Z FEB 74

FM USMISSION GENEVA

TO SECSTATE WASHDC 3915

INFO AMEMBASSY BONN

USMISSION BERLIN

USMISSION USUN NEW YORK

C O N F I D E N T I A L GENEVA 0838

EO 11652: GDS

TAGS: PFOR

SUBJ: CSCE: DECLARATION OF PRINCIPLES - SOVEREIGN EQUALITY

REF: GENEVA 664

1. SUMMARY. SUB-COMMITTEE ON PRINCIPLES BEGAN BARGAINING ON SPECIFIC WORDING OF SOVEREIGN EQUALITY PRINCIPLE THIS WEEK. HIGHLY TENTATIVE AGREEMENT EMERTNNG ON FOLLOWING WORDING OF FIRST SENTENCE OF DRAFT OF THIS PRINCIPLE: "THE PARTICIPATING STATES RESPECT EACH OTHERS' SOVEREIGN EQUALITY." RIGHTS INHERENT IN SOVEREIGNTY WILL BE TAKEN UP NEXT WEEK. END SUMMARY

2. AT FEB. 5 SESSION SUBCOMMITTEE ON PRINCIPLE AS BASIS FOR WORK. THESE "MOSAICS" GROUP ELEMENTS OF ALL PROPOSALS WHICH FRENCH VIEW AS LOGICALLY RELATED. DISCUSSION HAS BEEN PROCEEDING IN THIS WAY, FRAGMENT BY FRAGMENT. AS CONSENSUS EMERGES, PROVISIONAL TEXTS WILL BE INCORPORATED IN INFORMAL WORKING PAPERS, WITH UNRESOLVED ISSUES LEFT IN BRACKETS.

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3. THIS WEEK SUB-COMMITTEE BEGAN WITH FIRST PRINCIPLE,

SOVEREIGN EQUALITY. CONSENSUS BEGAN TO EMERGE ON TENTATIVE WORDING TO RESOLVE FIRST ISSUE: WHETHER TO SPEAK OF SOVEREIGN EQUALITY AS BASIS OF RELATIONS BETWEEN PARTICIPATING STATES, PER YUGOSLAV AND SOVIET TEXTS, OR WHETHER TO STATE THAT PARTICIPATING STATES "RECOGNIZE EACH OTHERS' SOVEREIGN EQUALITY," PER FRENCH TEXT. PROVISIONAL COMPROMISE TEXT SUGGESTED BY FRG NOW HAS SUPPORT OF NATO, EAST AND NEUTRALS. IT READS AS FOLLOWS: "THE PARTICIPATING STATES RESPECT EACH OTHERS' SOVEREIGN EQUALITY BEGIN BRACKETS IN ACCORDANCE WITH THE PRINCIPLES AND PURPOSES OF THE UN CHARTER END BRACKETS." (NOTE: IN THIS CASE BRACKETS INDICATE POSSIBILITY PHRASE MAY BE DROPPED LATER, RATHER THAN STRONG OPPOSITION TO FORMULA.)

4. FRENCH FAVOR PREAMBULAR REFERENCE TO UN PURPOSES AND PRINCIPLES WHICH WOULD COVER ALL TEN CSCE PRINCIPLES. IF EAST AGREES TO CHARTER REFERENCE DURING LATER DRAFTING OF PREAMBLE, FRG PROPOSES TO DROP BRACKETED CHARTER REFERENCE IN SOVEREIGN EQUALITY PRINCIPLE. FRG REP BELIEVES PREAMBULAR REFERENCE TO UN CHARTER WOULD BE PARTICULARLY USEFUL IN LIMITING DAMAGING EFFECTS OF INVIOABILITY OF FRONTIERS PRINCIPLE. "PURPOSES AND PRINCIPLES" ARE IN LOWER CASE AND THUS ARGUABLY REFER TO WHOLE UN CHARTER AND NOT JUST CHAPTER ONE. YUGOSLAVS HAVE NOT INSISTED THAT THEIR FORMULA BE INCLUDED IN INFORMAL TEXT, BUT HAVE NOT YET ACCEPTED THIS COMPROMISE LANGUAGE.

5. ROMANIANS HAVE PROPOSED ANOTHER BRACKETED SECTION WHICH HAS MET SOME OPPOSITION. IT COULD FOLLOW THE COMPROMISE FORMULA ON RESPECT, WHETHER OR NOT THE FORMULA INCLUDES THE BRACKETED SECTION ON UN CHARTER PURPOSES AND PRINCIPLES. THIS SECTION WOULD READ AS FOLLOWS: "AND THE RIGHT TO FREE EXISTENCE AND INDEPENDENCE ON THEIR OWN TERRITORY."

6. NEXT MEETING OF SUBCOMMITTEE WILL CONSIDER ENUMERATION OF RIGHTS INHERENT IN SOVEREIGNTY. STICKING POINTS WILL BE PARAGRAPHS FOUR THROUGH SIX OF NEW ROMANIAN PROPOSAL (REFTEL) WHICH SOVIETS AND OTHERS ARE LIKELY TO OPPOSE. FRENCH LANGUAGE ON RIGHT TO BELONG OR NOT TO BELONG TO AN ALLIANCE MAY ALSO CAUSE CONTROVERSY. IN EARLIER GENERAL REMARKS, POLISH REP CHALLENGED THIS WORDING, SAYING IT IMPROPERLY IMPLIED RIGHT BRUSQUELY TO TERMINATE A TREATY OTHER THAN AS PROVIDED FOR IN CONFIDENTIAL

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THE TREATY ITSELF OR IN GENERAL LAW OF TREATIES. SOVIET REP SUPPORTED THIS, BUT SAID THAT REFERENCE TO ALLIANCES WAS DRAFTING MATTER WHICH COULD BE HANDLED BY GIVING PROVISION SOMEWHAT LESS SEPARATE TREATMENT AND BY MENTIONING BILATERAL AND MULTILATERAL AGREEMENTS. SOVIETS WILL PROBABLY TRY TO LOAD ALLIANCE PROVISION WITH REFERENCES WHICH WOULD MAKE IT POLITICALLY COUNTERPRODUCTIVE. DALE

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